

SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
SECOND JUDICIAL DEPARTMENT

People v. Hamilton

Hamilton, 2026 NY Slip Op 00794 (Supreme Court of the State of New York Appellate Division Second Judicial Department 2026) · No. 2022-05296 · Decided February 11, 2026

SUMMARY

The Appellate Division, Second Department, affirmed an order granting the defendant's motion to suppress physical evidence. Relying on its decision in the codefendant's appeal, *People v. Creary*, the court held that suppression was properly granted.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, Second Judicial Department
WRITING FOR THE COURT	Angela G. Iannacci, J.P.; Valerie Brathwaite Nelson, J.; Paul Wooten, J.; Janice A. Taylor, J.
JURISDICTION	Supreme Court of the State of New York, Appellate Division, Second Department
DECIDED	February 11, 2026
DOCKET	2022-05296
DISPOSITION	affirmed
PROCEDURAL POSTURE	The People appealed from an order of the Supreme Court, Queens County, which, after a hearing, granted the branch of Hamilton's omnibus motion seeking suppression of physical evidence.
PRECEDENTIAL VALUE	Published opinion
PARTIES	The People of the State of New York v. Dylan Hamilton

TOPICS

- suppression of evidence
- criminal procedure
- appellate procedure

PRACTICE AREAS

- criminal procedure
- appellate procedure
- evidence

QUESTIONS PRESENTED

1. Whether the Supreme Court, Queens County, properly granted the defendant's motion to suppress physical evidence.

HOLDINGS

1. The Supreme Court, Queens County, properly granted the branch of Hamilton's omnibus motion seeking suppression of physical evidence.

KEY QUOTATIONS

“For the same reasons we held in People v Creary in favor of the codefendant, here, the Supreme Court properly granted that branch of the defendant's omnibus motion which was to suppress physical evidence” (at 674-675)

FACTUAL BACKGROUND

The appeal concerned physical evidence that the Supreme Court, Queens County, ordered suppressed after a hearing on Hamilton's omnibus motion. The opinion states that the underlying facts were set forth in the court's contemporaneous decision in the codefendant's appeal, *People v. Creary*, arising from the same order.

PROCEDURAL HISTORY

The Supreme Court, Queens County, granted suppression of physical evidence after a hearing. The People appealed, and the Appellate Division affirmed the order insofar as appealed from, relying on its decision in the codefendant's appeal from the same order.

DISPOSITION

affirmed

CASES CITED

- *People v. Creary*, 236 AD3d 672, 673-675
- *People v. Dubuisson*, 206 AD3d 757, 759
- *People v. Pearson*, 59 AD3d 743, 744